

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. (U.S. Patent 5,966,310) in view of "Revit 1.1 - Review" Harrod, Geoff. CADinfo.NET. Review of Revit 1.1 (<http://www.cadinfo.net/reviews/revit.htm>). Webpage modified, 02/09/2001. Date accessed, 02/25/2009. Accessed via Internet Archive - Wayback Machine (<http://web.archive.org/web/20010209023320/http://www.cadinfo.net/reviews/revit.htm>) (herein known as "Harrod").

. In reference to claim 15, Maeda et al. discloses a system configured to colorize a schematic including a *set of features* (see column 1, lines 10-15, column 2, lines 34-47 and column 14, lines 14-35 wherein Maeda et al. discloses a personal design CAD system including the colorizing of data.), the system comprising:

- a processor (see column 13, lines 29-30, Maeda et al. discloses the invention embodied on a personal computer which inherently comprises a processor; and
- a memory (column 2, lines 63-65 and #26 and 131 of Figure 3)), wherein the memory includes

- a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic (column 14, lines 14-35 and #122 of Figure 3).

Although Maeda et al. discloses a CAD system comprising colorization techniques for colorizing design data, Maeda et al. does not disclose obtaining a schematic generated from a feature-based parametric modeling module and colorizing such a schematic. Harrod discloses a review of a CAD software named Revit which provides parametric building objects to create models (see page 1, 3rd paragraph). Harrod goes on to disclose the objects to comprise of building features such as walls, windows, columns, stairs, roofs and doors (see page 1, 3rd paragraph). Harrod discloses the Revit software to allow a user to build a blueprint or schematic of architecture (see pages 2-3) and then shade or colorize certain aspects of the blueprint or schematic (see pages 3-4). For example, according to the figures of Harrod on pages 3-4, one of ordinary skill in the art can see the different features or objects of the building to be colorized differently (i.e. roof = grey, exterior walls = red etc). Note, the Examiner interprets the Revit software to inherently "obtain" a schematic since it allows for the user to physically create a schematic or blueprint. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the feature-based modeling techniques as explained by Harrod with the system of Maeda et al. in order to create a CAD modeling system allowing for the user to provide a greater sense of realism to the design process of architectural/mechanical structures by accepting coloring data for use in final rendering/simulation of the designed structure (see page 1, 2<sup>nd</sup> paragraph of Harrod).

In reference to claim 16, Maeda et al. and Harrod disclose all of the claim limitations as applied to claim 15 above. Although both Maeda et al. and Harrod disclose utilizing a CAD/CAM tool/software, neither Maeda et al. nor Harrod explicitly disclose the module including a Pro-/CAM Engineer software application in memory. At the time the invention was made, it would have been obvious to one of ordinary skill in the art to store CAD or CAM type software in at least a memory, as described by Maeda et al.. Applicant has not disclosed that explicitly storing a Pro-Engineer software application in memory provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with storing of CAD and/or CAM software, such as Revit or the techniques described by Maeda et al. in memory because the exact software application used for CAD/CAM designing is a matter decided by the inventor and or user of the invention and to which best suits the application at hand. Therefore, it would have been obvious to one of ordinary skill in this art to modify the combination of Maeda et al. and Harrod to obtain the invention as specified in claim 16.

In reference to claim 17, Maeda et al. and Harrod disclose all of the claim limitations as applied to claim 15 above. Maeda et al. also discloses wherein the colorization module is software configured to work with the modeling module during colorization of the schematic (see column 9, lines 34-38, the CAD module is configured to work with graphics module). Further, it can be seen by Harrod that the Revit software allows for simulation of the building using colors selected to shade features of the building (see pages 3-4). Therefore, the Examiner interprets the Revit software to inherently comprise some sort of software instructions that "work with" each other to provide a colorized schematic.

In reference to claim 18, Maeda et al. and Harrod disclose all of the claim limitations as applied to claim 15 above. Maeda et al. discloses the CAD invention embodied on a personal computer (see column 13, lines 29-30) which the Examiner interprets as inherently comprising an "output module" since Maeda et al. also discloses providing the output to a display (see column 9, lines 39-40 and #145 of Figure 4). Further, it can be seen by Harrod that the Revit software outputs the rendering/simulation of the colorized schematic to at least, a display device (see pages 3-4) and therefore, the Examiner interprets it to inherently comprise of some sort of instructions/software to output such data to the display.

In reference to claim 19, Maeda et al. and Harrod disclose all of the claim limitations as applied to claim 15 above. Maeda et al. also discloses including an input module for accepting inputs from one or more of a keyboard, point-and-click device or an storage medium reader (see column 8, lines 58-62 and #11 of Figure 3).

In reference to claim 20, Maeda et al. and Harrod disclose all of the claim limitations as applied to claim 15 above. Harrod discloses a review of a CAD software named Revit which provides parametric building objects to create models (see page 1, 3rd paragraph). The Examiner interprets the software to inherently comprise instructions to enable some sort of computing processor to perform the elements of claim 20. In particular, the figure of page 2 of the Revit software show features of the building which are eventually colorized (see figures of pages 3-4) according to a set of colors (i.e. roof = grey, exterior walls = red etc) wherein such features are associated with the colors by actually shading the features with the appropriate color upon rendering/simulation of the structure.

***Response to Arguments***

2. The cancellation of claims 1-14 and 22-28 is noted.
3. Note, upon an updated prior art search, the resulting search has yielded the "Revit" document which Examiner believes directly applicable to Applicant's claims.

***Allowable Subject Matter***

4. Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung, can be reached at (571) 272-7794.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**571-273-8300 (Central Fax)**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (571) 272-2600.

/Antonio A Caschera/

Primary Examiner, Art Unit 2628

**2/27/09**